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In the United States Patent and Trademark Office

AUG 02 2005

First Named Inventor: Ronald L. Edens Group Art Unit: 3761
Serial No.: 10/038,970 Examiner: Anderson, Catharine L.
Confirmation No.: 9623 Docket No.: 17707
Filed: December 31, 2001 Date: August 2, 2005
Title: LABIAL PAD HAVING A TAB

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

08/10/2005 HDESTA2 00000056 110875 10038970
01 FC:1453 1500.00 DA

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items (see MPEP sec. 711.03(c)):

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity-fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1,500.00 (37 CFR 1.17(m)). The Commissioner is hereby authorized to charge the fee under 37 CFR 1.17(m) to Deposit Account No. 11-0875. 1453

2. Reply

A. The reply to the above-noted Office action in the form of _____ (identify type of reply):

- ☐ has been filed previously on _____
☐ is enclosed herewith.

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B. The issue fee and publication fee (if applicable) of \$ \$1700.00.

- ☐ has been paid previously on _____.
- ☒ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$130.00 for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63). The Commissioner is hereby authorized to charge the disclaimer fee to Deposit Account 11-0875.

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

The undersigned may be reached at: (920) 721-2435.

Respectfully submitted,

Ronald L. Edens, et al.

By: _____

Paul Yee

Registration No.: 29,460

Attorney for Applicant(s)

CERTIFICATE OF TRANSMISSION

I, Judith M. Anderson, hereby certify that on August 2, 2005 this document is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (571) 273-8300.

Typed or printed name of person signing this certificate:

Judith M. Anderson

Signature:

Judith M. Anderson